

# MEMORANDUM

Agenda Item No. 11(A)(15)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

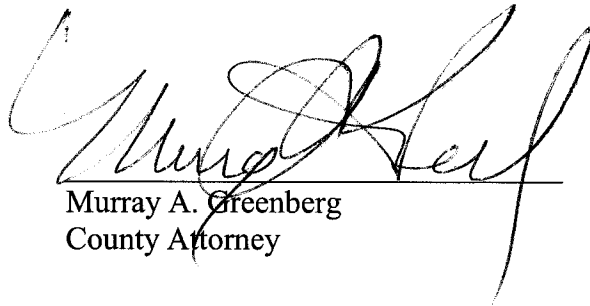
**DATE:** December 6, 2005

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution relating to the  
Federal Head Start Program

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss.



Murray A. Greenberg  
County Attorney

MAG/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 6, 2005

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(15)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(15)  
12-6-05

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING CONGRESS TO DEFEAT  
LEGISLATION ALLOWING RELIGIOUS ORGANIZATIONS  
AND CHURCHES TO DISCRIMINATE ON THE BASIS OF  
RELIGION WHEN HIRING OR FIRING STAFF FOR  
POSITIONS WITHIN THE FEDERAL HEAD START  
PROGRAM

**WHEREAS**, Head Start is an early education program established in 1965; and

**WHEREAS**, the program has been a ladder out of poverty for many disadvantaged parents who have become employed as teachers and staff after having first served as volunteer teacher aides in their children's classroom; and

**WHEREAS**, Head Start has helped millions of disadvantaged children by providing access to quality preschool education programs; and

**WHEREAS**, since 1972, agencies that receive government funding for Head Start, including religious organizations and houses of worship that host Head Start programs, have been prohibited from discriminating on the basis of religious when hiring or firing staff for positions within this federally-funded program; and

**WHEREAS**, an amendment is being considered in Congress that would repeal existing, longstanding Head Start provisions which prohibit religious organizations and churches from discriminating on the basis of religion when hiring or firing staff for positions within this federally-funded program; and

**WHEREAS**, this amendment is in conflict with the First Amendment's prohibitions against the use of direct government funding to promote religious beliefs; and

**WHEREAS**, if Congress approves such an amendment, teachers and staff working at Head Start programs housed in religious organizations could immediately be fired because of their religion; and

**WHEREAS**, the amendment to permit religious discrimination in hiring and firing for faith-based Head Start programs is divisive, unwise, unnecessary, and unconstitutional,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

Section 1. Urges the United States Congress defeat legislation that would allow religious organizations and churches to discriminate on the basis of religion when hiring or firing staff for positions within the federal Head Start program.

Section 2. The Clerk of the Board is directed to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Legislative Delegation.

Section 3. This Board directs the County's federal lobbyists to advocate against the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2006 Federal Legislative Package.

The foregoing resolution was sponsored by Commissioner Katy Sorenson, Commissioner Sally A. Heyman, Commissioner Barbara J. Jordan and Commissioner Dennis C. Moss and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of December, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

JMM

Jess M. McCarty